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PRUCO LIFE INSURANCE COMPANY and  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

19 YUPEI TIAN, ) CASE NO. C07 04343 JW  
20 Plaintiff, )  
21 vs. )  
22 PRUCO LIFE INSURANCE COMPANY, ) STIPULATION AND [PROPOSED]  
23 THE PRUDENTIAL INSURANCE ) ORDER RE: VOLUNTARY DISMISSAL  
24 COMPANY OF AMERICA, and DOES 1-20 ) WITH PREJUDICE  
through 20, inclusive, ) [FED. R. CIV. R. 41]  
25 Defendants. )

27 Pursuant to Rule 41 of the Federal Rules of Civil Procedure and the Confidential  
28 Settlement Agreement reached by and between the parties identified herein, the undersigned,

1 counsel of record for plaintiff YUPEI TIAN, and defendants PRUCO LIFE INSURANCE  
 2 COMPANY and THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, respectively,  
 3 do hereby AGREE and STIPULATE that the above-captioned case be dismissed, in its entirety,  
 4 with prejudice. Each party shall bear its own attorneys' fees and costs.

5 **IT IS SO STIPULATED.**

6 DATED: August 15, 2008

CAMPBELL, WARBURTON, FITZSIMMONS,  
 7 SMITH, MENDELL & PASTORE

12 DATED: August 15, 2008

GORDON & REES LLP

14 By: \_\_\_\_\_ /s/  
 15 NICHOLAS PASTORE  
 16 Attorneys for Plaintiff  
 17 YUPEI TIAN

14 By: \_\_\_\_\_ /s/  
 15 LESLIE K. CRARY  
 16 ATTORNEYS for Defendants  
 17 PRUCO LIFE INSURANCE COMPANY and THE  
 18 PRUDENTIAL INSURANCE COMPANY OF  
 19 AMERICA

20 I, LESLIE K. CRARY, hereby attest that NICHOLAS PASTORE, counsel for Plaintiff, concurs  
 21 in the filing of this stipulation.

22 DATED: August 15, 2008

23 By: \_\_\_\_\_ /s/  
 24 LESLIE K. CRARY

25 **IT IS SO ORDERED.**

26 DATED: \_\_\_\_\_, 2008

27 United States District Court Judge

Gordon & Rees LLP  
 275 Battery Street, Suite 2000  
 San Francisco, CA 94111